

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HERBERT A. WILLIAMS, IV, #27858-077 §
v. § CIVIL ACTION NO. 4:16cv290
UNITED STATES OF AMERICA § CRIMINAL ACTION NO. 4:13cr173(1)

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration (Docket No. 24).

No objections have been filed. Nonetheless, the Court has reviewed the pleadings and the Magistrate Judge’s Report and Recommendation and agrees with the proposed findings that Movant’s ineffective assistance of counsel claims are without merit. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants’ ”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). Accordingly, it is

ORDERED that the Report and Recommendation is **ADOPTED** as the opinion of this Court. It is further

ORDERED that the motion to vacate, set aside, or correct sentence is **DENIED**, a certificate of appeal ability is **DENIED** and this case is **DISMISSED WITH PREJUDICE**.

SIGNED this 13th day of December, 2018.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE